

## **REMARKS**

### **Response to Claim Objections**

Claim 48 is objected to by the Examiner due to the following informalities: In lines 15-16, "at least one transverse dimension" should read as "the transverse dimension".

Claim 63 is objected to by the Examiner due to the following informalities: In line 15, "greater that a diameter" should read as "greater than a diameter".

Claims 48 and 63 have been amended.

### **Response to Claim Rejections Under 35 U.S.C. §102**

Claim 48 is rejected by the Examiner under 35 U.S.C. §102(e) as being anticipated by Bryan et al. (U.S. Pat. No. 6,050,955). In response applicants have amended claim 48 to require that the transverse dimensions of the first and second cutting member be perpendicular to the longitudinal axis of the cannula. The claim and those claims which depend from claim 48 should now be in allowable condition.

### **Response to Allowable Subject Matter**

Claims 49-54, 56, and 57 are objected to by the Examiner as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have placed claim 48 in allowable condition, so these dependent claims should likewise be allowable.

Claim 64 is objected to by the Examiner as being dependent upon an objected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, the amendment

made to claim 63 should place this claim in allowable condition. Claim 64 should likewise be allowable.

Claims 28-30, 32, 33, 35-38, 40-47 and 58-62 remain allowable as set forth in the Office Actions mailed on October 11, 2005 and April 12, 2006.

#### **Conclusion**

Applicants believe that the pending claims are directed to patentable subject matter. Further consideration pursuant to the concurrently filed RCE and an early allowance of the pending claims are earnestly solicited.

Respectfully submitted,

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